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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
(Columbia City, Florida).)

MM Docket 97-252
RM-9206

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS OF MAX MEDIA

Respectfully submitted,

Donald E. Martin
DONALD E. MARTIN, P.C.
P. O. Box 19351
Washington, D.C. 20036
(703) 671-8887

March 2, 1998

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COMMENTS OF MAX MEDIA

Mas Media ("Max"), by counsel, hereby submits these Comments in response to the Commission's Notice of Proposed Rule Making ("NPRM"), DA 97-2748, released January 9, 1998, in the above-identified proceeding.

Max supports the proposal to amend the FM Table of Allotments so as to allot Channel 243A to Columbia City, Florida. If the Commission allots Channel 243A to Columbia City, Max, or an entity under common ownership with Max, will file an application for authority to construct a new station on that allotment. If Max's application is granted, it will promptly construct the station and initiate service to the community.

In the NPRM, the Commission requested additional information "to demonstrate that Columbia City has the social, economic and governmental indicia to qualify it as a 'community' for allotment purposes." Max submits the following information in support of such a demonstration.

Columbia City is a well-recognized rapidly growing community centered at the intersection of State Route 47 and

County Road 240 in southwestern Columbia County, Florida. The community is identified by road signs on Route 47. The signs indicate to motorists arriving from both the north and the south on Route 47 that they are approaching Columbia City. See photographs cc and dd in Exhibit 1.

Community Institutions

Columbia City features a variety of local institutions and businesses. Photographs of the following such institutions and businesses which are in and serve the community are attached in Exhibit 1:

- a. Columbia City Elementary School
- b. Columbia City Volunterr Fire Department
- c. S & S Food Store and Service Station #1
- d. S & S Food Store and Service Station #2
- e. B & B Food Store and Service Station
- f. Flutterby Day Care Center
- g. T-Roys Restaurant
- h. Gary Meeks Payday Feed & Seed
- i. B & H Woodworks
- j. Subway Restaurant
- k. Dana's Restaurant
- l. Stop-n-Go Food Store and Service Station
- m. Red's Peanuts
- n. Motel 8
- o. TNT Golf & Games
- p. Amoco Food Store and Service Station
- q. Rally Food Store and Service Station

- r. Chevron Food Mart and Service Station
- s. Little Ceasar's Restaurant
- t. Athens Baptist Church
- u. Our Redeemer Lutheran Church
- v. Pleasant Grove United Methodist Church
- w. Berea Baptist Church
- x. Columbia Baptist Church
- y. Meade Ministries
- z. Columbia City Church of Christ
- aa. Mt. Sinai A.M.E. Church
- bb. New Mt. Zion United Methodist Church.

All of these institutions and businesses are a part of the Columbia City community. It should be noted that a number of them identify so strongly with the concept of Columbia City that they include reference to Columbia City in their name and/or on their identifying signage, such as: Columbia City Elementary School, Columbia City Volunteer Fire Department, Red's Peanuts, Columbia Baptist Church, Columbia City Church of Christ, and Mt. Siani A.M.E. Church.

Individuals associated with many of these institutions and businesses have given Max statements in which they describe their organizations' association with Columbia City and their relationship with the residents of the community. Lana Boone, Assistant Principal of the Columbia City Elementary School states that the school is viewed as a focal point in the community, not only by students and their parents, but by other residents as well. Exhibit 2. The Secretary/Treasurer

of the Columbia City Volunteer Fire Department, Kenneth A. Edenfield, relates how the fire department's facilities and services have grown over the years. Exhibit 3. A full time rescue service is now available.

Rev. Dr. Mark J. Schreiber, pastor of Our Redeemer Lutheran Church states that his church experiences regular attendance of 110 worshippers each Sunday, most of whom live in the Columbia City area. Exhibit 4. The minister of the Pleasant Grove United Methodist Church says that the "majority of my congregation live in this area." Exhibit 5. Likewise, Pastor Michael A. Divine of the Athens Baptist Church, states that "many of the people I serve and minister to live in Columbia City." Exhibit 6.

The owner of T-Roys Restaurant is Troy Dillard. He writes that "My evening business comes mainly from local residents . ." Exhibit 7. Bobbie Potter of the Flutterby Child Care Center indicates that all of her patrons live in Columbia City. Exhibit 8. Gary Meeks states that his Payday Feed & Seed business serves the people of Columbia City. Exhibit 9.

The principals of the organizations cited above have demonstrated their involvement with the community of Columbia City. This sense of community is shared by the local residents who patronize those institutions and businesses. Attached as Exhibit 10 are declarations from 83 residents of Columbia City who describe why they feel a sense of community in Columbia City and then identify the specific institutions and/or businesses which they regularly use in the community.

Growth

Columbia City is the focal point of substantial and sustained population growth in southwestern Columbia County, Florida. This is evidenced by a variety of documents and statements which are included as Exhibits to these Comments.

Pastor J. W. McCormick of the Columbia Baptist Church provided Max with population information furnished to him by the Church Extension Department of the Florida Baptist Convention derived from data from Scan/US, Inc. According to this data, the population of the Columbia City area was 1,911 in 1990, having increased by 285% since 1980 when it was 496. The corresponding figure for 1998 was estimated to be 2,385. See Exhibit 11. The area included in this population count consists of a circle with a radius of three miles and centered at the Columbia Baptist Church, which is on property adjacent to the Columbia City Elementary School. On the basis of its analysis of this data, the church determined that it needed to enlarge its facilities. Construction of a new and larger church on Route 47 in Columbia City has recently been completed.

Carolyn D. Kirby, the Supervisor of Elections for Columbia County has supplied data showing the increase in the number of registered voters in the Columbia City community during recent years. Columbia City straddles the junction of three Columbia County precincts -- numbers 1, 19 and 30. The number of registered voters in these three precincts five years ago, in February, 1993 was 1,890. By February, 1998, that total had risen to 2,919. Her data is included in Exhibit 12, along with a map of Columbia County indicating all the pre-

cincts and the area served by the Columbia City Elementary School.

An important indicator of growth in a community is the development of the public school system. Jim Poole, Executive Director of the Lake City - Columbia County Chamber of Commerce states in his letter in Exhibit 13 that "Columbia City received its own elementary school which was opened just three years ago and is already the largest student population school of the five elementary schools in the county." Some 900 students attend this school. Attached as Exhibit 14 is a description of the attendance zone for Columbia City Elementary School from Michael B. Flanagan, Superintendent of Schools for Columbia County. This attendance zone is also depicted on the map in Exhibit 12.

Another indicator of the growth occurring in the Columbia City community is the rate of new home construction. More than 350 building permits have been issued for new homes in the Columbia City Elementary School attendance zone in each year for the last five years. Furthermore, the precise number has increased each year. These facts are related in a letter from Dale Williams, Columbia County Coordinator, attached as Exhibit 15. Mr. Williams states that the Columbia City area has one of "the strongest growth patterns within Columbia County."

As cited by the Commission in the NPRM, there is no post office designated as the Columbia City Post Office and Columbia City does not officially have its own zip code. However, in 1994, the United States Postal Service established a new addi-

tional zip code for Lake City (the county seat of Columbia County), 32024, for the delivery area in southwestern Columbia County in order to accommodate the rising demand for postal services resulting from the growth in the Columbia City area. This is indicated by a letter and accompanying map from Mozelle Thomas, Postmaster at Lake City, attached as Exhibit 16.

Vehicular traffic on the main thoroughfare through Columbia City, State Route 47, is increasing at the rate of approximately 13% per year. This information comes from District 2 of the Florida Department of Transportation, which is responsible for highway planning, construction and management in an 18-county region in northern Florida, including Columbia County. Traffic counts at two locations on Route 47, one just to the north of Columbia City, and the other just to the south of Columbia City, have been conducted by the Department since 1986. On the south side, daily traffic has risen from 1,800 vehicles in 1986 to 4,600 in 1996. Traffic on the north end of the community is much higher. It rose from 6,100 vehicles per day in 1991 to the 1996 figure of 9,400 vehicles per day. See Exhibit 17.

Max has demonstrated herein that Columbia City, Florida has the requisite indicia of a community for the purpose of allotting an FM channel to it. It has a generous grouping of institutions and businesses who consider themselves central to Columbia City and operate accordingly. A substantial number of local residents consider themselves part of distinct community and they regularly patronize the local establishments in life-

style patterns that confirm that sense. Finally, Max has shown that Columbia City is a community experiencing dramatic exponential growth. The community's self-identity and its importance as a social and commercial center will only intensify as it grows. Columbia City needs and deserves its own local aural transmission service.

Max Media therefore respectfully urges the Commission to adopt the proposal to allot Channel 243A to Columbia City, Florida.

Respectfully submitted,

MAX MEDIA

By: Donald E. Martin
Donald E. Martin

DONALD E. MARTIN, P.C.
P. O. Box 19351
Washington, D.C. 20036
(703) 671-8887

Its Attorney

March 2, 1998

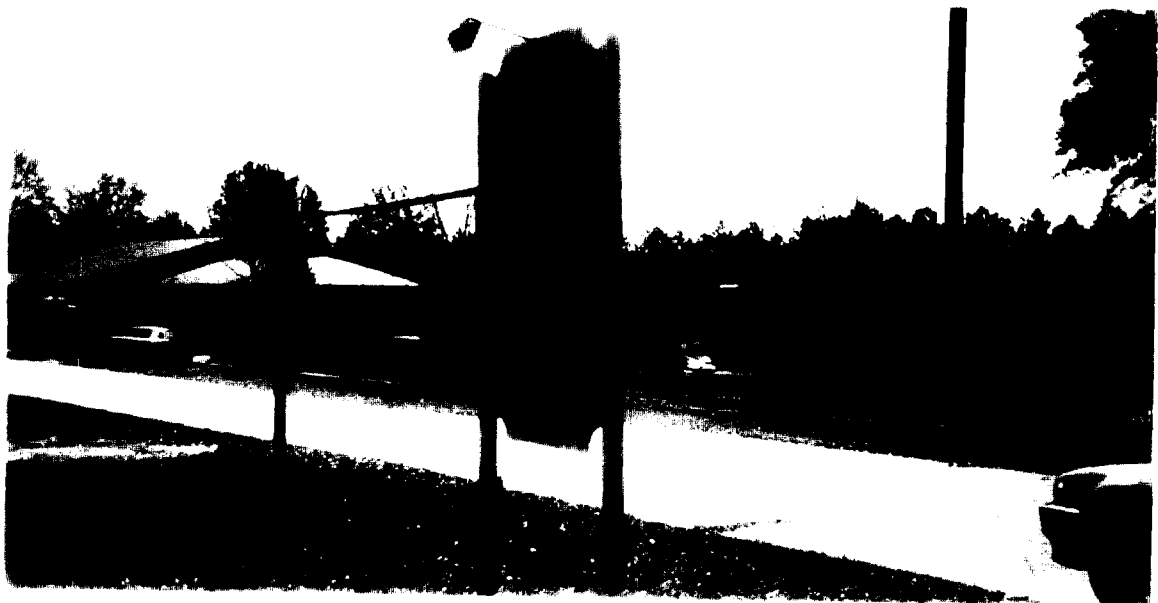
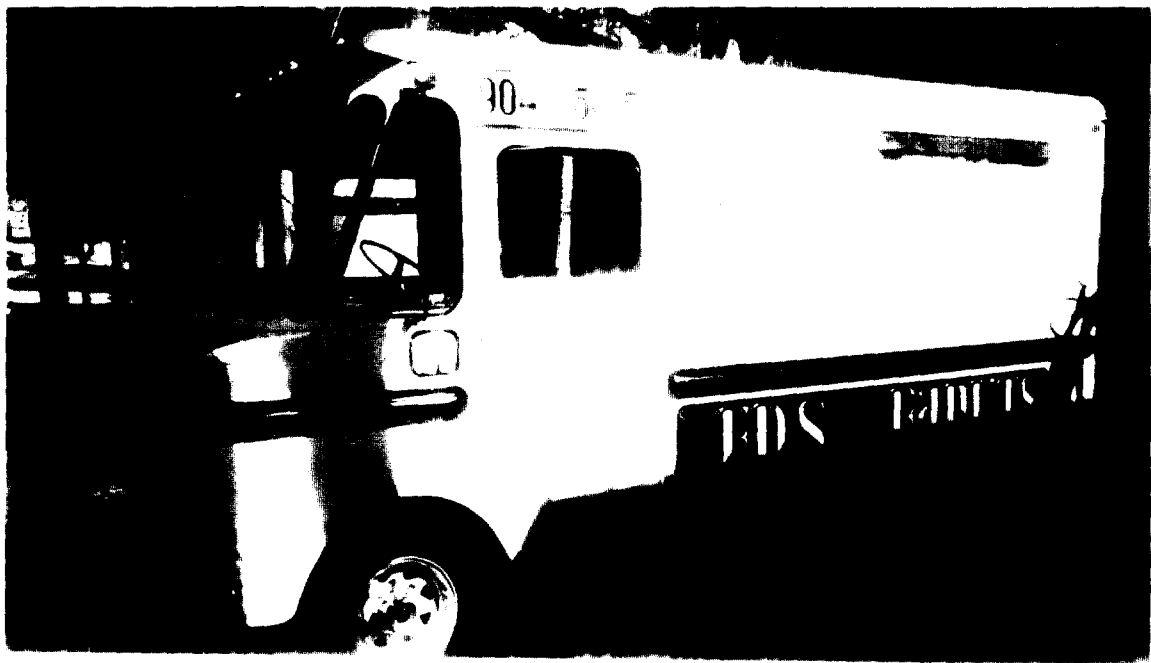
EXHIBIT 1

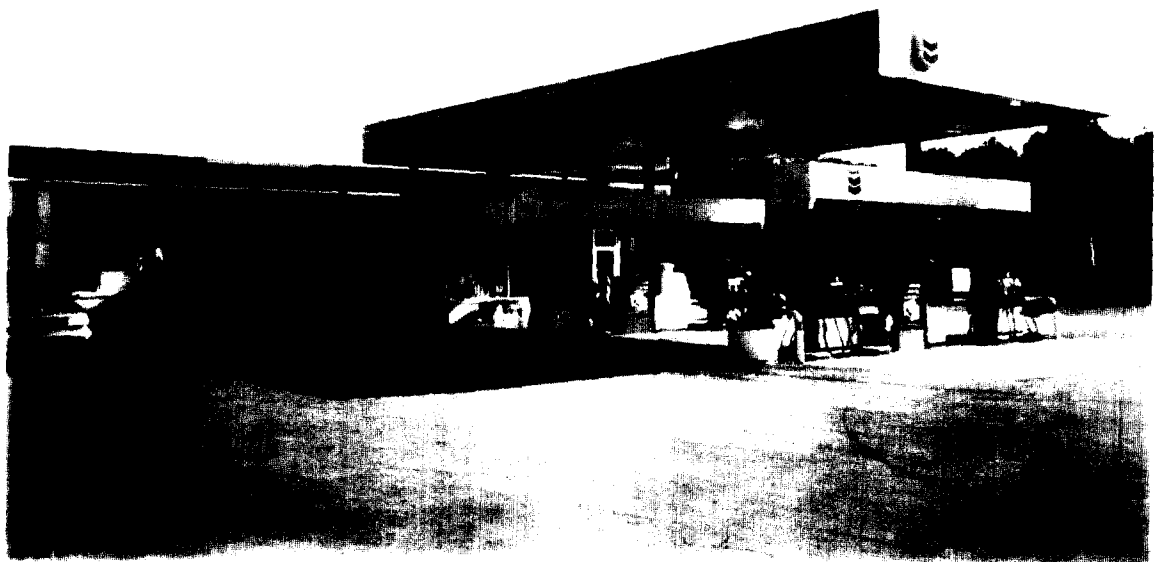




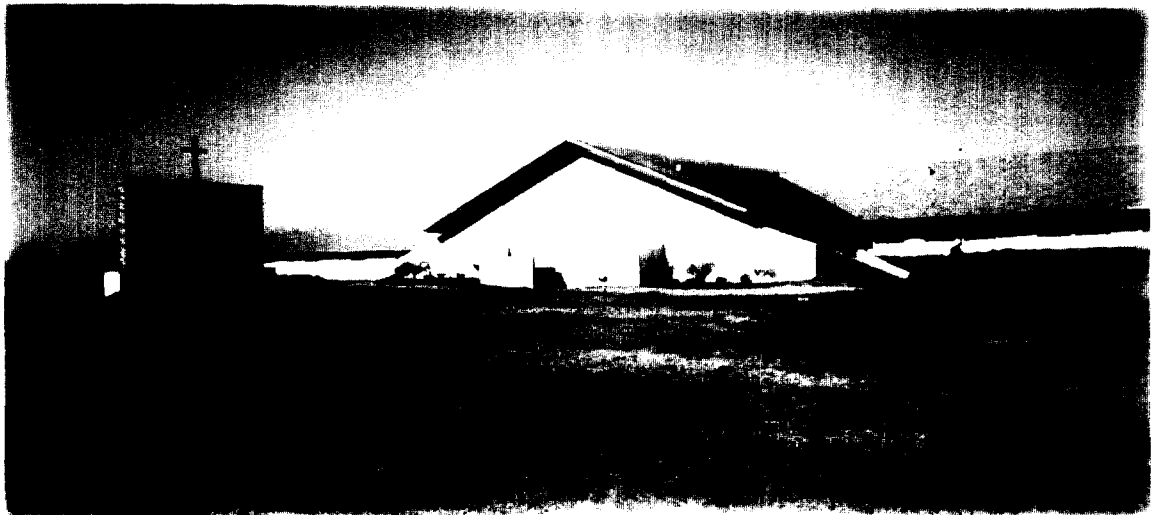












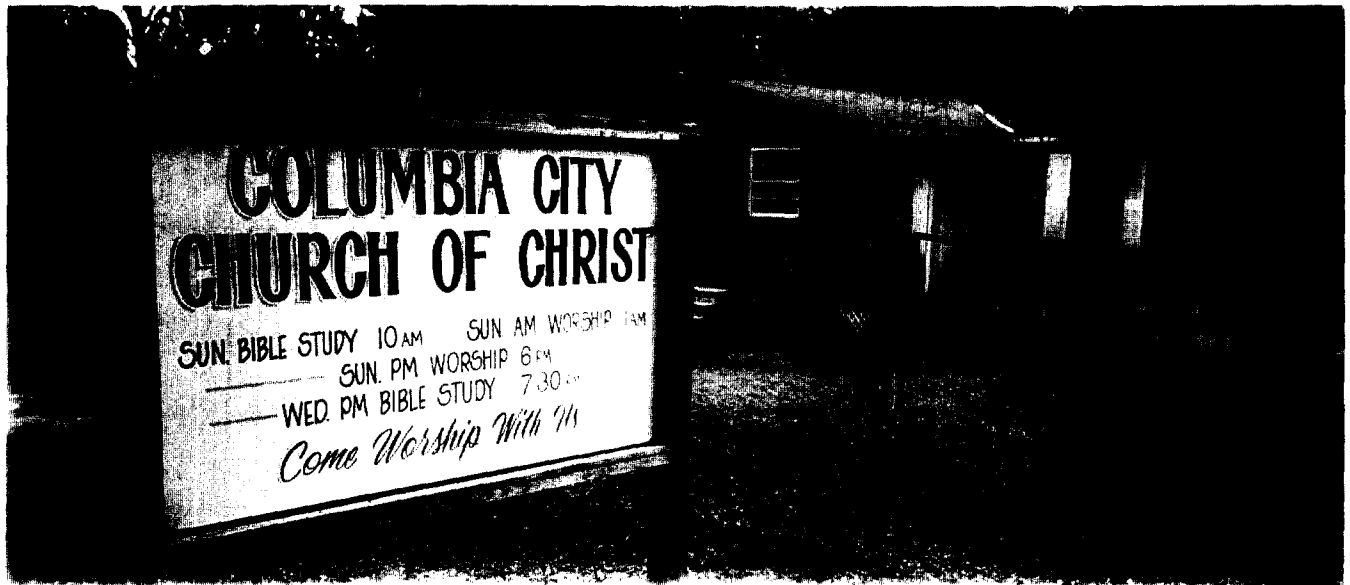




EXHIBIT 2

COLUMBIA COUNTY SCHOOL SYSTEM

COLUMBIA CITY ELEMENTARY SCHOOL

ROUTE 9, BOX 2052
LAKE CITY, FLORIDA 32024
(904) 758-4850 • SUNCOM (904) 887-4850

LINDA SUE FELDER
PRINCIPAL

LANA BOONE
ASSISTANT PRINCIPAL



Touching Tomorrow Through Teamwork Today

MICHAEL B. FLANAGAN
SUPERINTENDENT

JOE R. KIRKLAND
DEPUTY SUPERINTENDENT

February 23, 1998

Don Martin
P.O. Box 19351
Washington, D.C. 20036

Dear Mr. Martin,

Columbia City Elementary School serves a large attendance zone, but is actually considered the neighborhood school of the community of Columbia City. Although many staff members and parent volunteers do not live in the immediate area, several staff members and volunteers actually live within a few miles of the school and when asked, would state that they live in Columbia City. When we have school activities and fund-raising dinners, they are well attended by not only parents, but other members of the Columbia City community. There is truly a feeling of community spirit within the area. There are churches in the community as well as various businesses. We now have two day care centers in the area, two convenience stores, as well as other types of businesses. The area continues to grow. For these reasons, I consider Columbia City to be a distinct community.

Sincerely,

Lana Boone
Assistant Principal

EXHIBIT 3

COLUMBIA CITY VOLUNTEER FIRE DEPARTMENT

Lake City, Florida 32024

TO WHOM IT MAY CONCERN:

Columbia City is a small community approximately eight miles south of Lake City, and is one of the fastest growing areas in Columbia County. Having lived here all my life, I have seen major changes.

The Volunteer Fire Department was started over 20 years ago with 14 members and one old worn out fire truck. Due to the need to provide better service to the growing area, Columbia County purchased land and built a new fire and rescue station. New trucks were also purchased. Columbia City has a full time rescue service (7 days a week, 24 hours a day). Plans include to add at least three full time firefighters to provide the necessary protection to our community.

It is great to be a part of the growth taking place in our area.

Very truly yours,



Kenneth A. Edenfield
Secretary/Treasurer

EXHIBIT 4